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REMARKS

Reconsideration of this application, as amended, is respectfully requested.

Initially, the Applicant would like to thank the Examiner for the indication that claim 6 contains allowable subject matter.

In the Official Action, the Examiner objects to the specification because there is a punctuation mistake in line 27 of page 17. Although Applicant feels that the punctuation at line 27 of page 17 is proper, page 17 has been amended nonetheless to clarify the same. Accordingly, it is respectfully requested that the objection to the specification be withdrawn.

In the Official Action, the Examiner objects to claims 1, 2 and 5. With regard to claim 1, the Examiner objects to the phrase "insulative insulating tip" on line 6 thereof. Claim 1 has been amended to change "electrically insulative insulating tip" to --support member--. The remainder of claim 1 as well as claim 7 have also been amended to be consistent with such a change. With regard to claims 2 and 5, the same have been canceled, thereby rendering the objection thereof moot. Accordingly, it is respectfully requested that the objection to claims 1, 2 and 5 be withdrawn.

In the Official Action, the Examiner rejects claims 1-5 and 7-9 under 35 U.S.C. § 103(a) as being unpatentable over Kokai Publication No. 4-329944 (hereinafter "Kokai") in view of U.S. Patent No. 4,943,290 to Rexroth, et al. (hereinafter "Rexroth"). Furthermore, the Examiner rejects claim 10 under 35 U.S.C. § 103(a) as being unpatentable over Kokai and Rexroth and further in view of U.S. Patent No. 5,846,241 to Kittur, et al. (hereinafter "Kittur").

In response, claim 1 has been amended to include the features of allowable claim 6. Consequently, claim 6 has been canceled.

However, as discussed above, claim 1 has been amended to change "electrically insulative insulating tip" to --support member--. Thus, since the insulating tip is a member which supports a rod-shaped portion to be axially projected and retracted with a slide hole, Applicant respectfully submits that the change from "electrically insulative insulating tip" to --support member-- does not impact the indication of allowability.

With regard to the rejections of claims 1-5 and 7-10 under 35 U.S.C. § 103(a), independent claim 1, as amended, is not rendered obvious by the cited references because neither the Kokai application, the Rexroth patent nor the Kittur patent, whether taken alone or in combination, teach or suggest a radio knife having the features recited in independent claim 1. Accordingly, claim 1, as amended, patentably distinguishes over the prior art and is allowable. Claims 7-10, being dependent upon claim 1, are thus at least allowable therewith (claims 2-5 being canceled). Consequently, the Examiner is respectfully requested to withdraw the rejections of claims 1-5 and 7-10 under 35 U.S.C. § 103(a).

Furthermore, new claims 11-13 have been added to further define the patentable invention. New claims 11-13 are fully supported in the original disclosure. Thus, no new matter has been entered into the disclosure by way of the addition of new claims 11-13.

In new claim 12, a support member (which is defined as an insulating tip in new claim 13) is provided so as to close a distal opening of a sheath, and there is an opening for liquid feed arranged in the support member.

In comparing the radio knife recited in new claim 12 with the cited references, the radio knife recited in new claim 12 is different from the cited inventions in at least the following respect and advantages:

1. In Rexroth and Kittur, an aperture ratio of the opening corresponding to an internal space is exactly the same as that of the opening for liquid feed. The support walls 100-102 shown in FIG. 14 of Rexroth et al. represent a cross section around the distal end portion of the fluid purging electrode 21 E, but the cross section as obtained is not limited to the cross section at the distal end portion. That is, the cross section remains the same in all parts of the fluid purging electrode 21E.

2 (a) In the radio knife recited in new claim 12, a slide hole (e.g., 18) that passes through a rod-shaped portion (e.g., 12, 31, 41) securely supports the rod-shaped portion (e.g., 12, 31, 41), thereby stably fixing an electrode portion:

(b) It is possible to inject a large amount of liquid into an internal space (e.g., 2a) having a wide opening from a liquid feed portion (e.g., 17) which feeds the liquid; and

(c) By virtue of an opening for liquid feed (e.g., 19, 33, 44) which is provided at the distal end, it is possible to clean the bleeding portion by the jet of liquid so that the bleeding point can be distinguished clearly, enabling a hemostatic treatment to be performed quickly and accurately.

3. In particular, with respect to points (b) and (c) indicated above, in the radio knife recited in new claim 12, liquid (e.g., saline) flows smoothly in a long internal space (e.g., 2a) with wide opening, and the saline can be transferred to the opening for liquid feed (e.g., 19, 33, 44). Accordingly, it is possible to clean the bleeding portion appropriately with the burst of liquid (e.g., saline) that is ejected from the opening for liquid feed (e.g., 19, 33, 44) by the equation of continuity of liquid. It is clear to those of ordinary skill in the art that such an advantageous effect is not derivable from the structures of the cited references.

Applicants respectfully submit that new claim 11 is at least allowable as depending upon an allowable base claim (1). Applicants further submit that new independent claim 12 patentably distinguishes over the prior art for at least the reasons set forth above and is allowable and that claim 13 is at least allowable as being dependent therefrom.

In view of the above, it is respectfully submitted that this application is in condition for allowance. Accordingly, it is respectfully requested that this application be allowed and a Notice of Allowance issued. If the Examiner believes that a telephone conference with Applicants' attorneys would be advantageous to the disposition of this case, the Examiner is requested to telephone the undersigned.

Respectfully submitted,



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